

HOUSE BILL 142

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By: **Delegate Beitzel**

Introduced and read first time: January 23, 2012

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County – Alcoholic Beverages – Follow-Up Criminal History Records**
3 **Checks**

4 FOR the purpose of requiring the Criminal Justice Information System Central
5 Repository (CJIS) to provide the Board of License Commissioners for Garrett
6 County with a revised printed criminal record statement of a license applicant
7 or license holder if information is reported to CJIS after the initial criminal
8 history records check is completed; requiring CJIS to stop providing the Board
9 with revised printed statements under certain circumstances; defining a certain
10 term; making a certain stylistic change; and generally relating to alcoholic
11 beverages in Garrett County.

12 BY repealing and reenacting, with amendments,
13 Article 2B – Alcoholic Beverages
14 Section 10–103(b)(13)(x)
15 Annotated Code of Maryland
16 (2011 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article 2B – Alcoholic Beverages**

20 10–103.

21 (b) Except as otherwise provided in this subtitle, every new application for a
22 license shall be made to the Board of License Commissioners on forms prescribed by
23 the Comptroller and sworn to by the applicant. Every application for a license shall
24 contain the following:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (13) (x) 1. IN THIS SUBPARAGRAPH, “CJIS” MEANS THE
2 CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE
3 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

4 [1.] 2. This subparagraph applies only in Garrett County.

5 [2.] 3. In this subparagraph, “applicant” includes:

6 A. An applicant for renewal of an alcoholic beverages
7 license; and

8 B. A shareholder, member, partner, owner, or other
9 person with an ownership interest in a business entity that applies for an alcoholic
10 beverages license.

11 [3.] 4. The Board of License Commissioners may:

12 A. Obtain criminal records of an alcoholic beverages
13 license applicant from the [Criminal Justice Information System Central Repository of
14 the Department of Public Safety and Correctional Services]CJIS and from other law
15 enforcement agencies;

16 B. Require an applicant to be fingerprinted;

17 C. Forward the fingerprints through the [Central
18 Repository] CJIS for transmittal to the Federal Bureau of Investigation for a national
19 criminal history records check; and

20 D. Set a fee to cover the cost of obtaining the fingerprints
21 and State and national criminal records.

22 [4.] 5. Criminal records shall be kept in a sealed envelope
23 accessible only by Board members and their clerks, and the criminal records shall be
24 destroyed on completion of their necessary use.

25 6. WHEN CRIMINAL HISTORY RECORD INFORMATION
26 OF AN APPLICANT OR LICENSE HOLDER IS REPORTED TO CJIS AFTER THE
27 INITIAL CRIMINAL HISTORY RECORDS CHECK IS COMPLETED, CJIS SHALL
28 PROVIDE THE BOARD OF LICENSE COMMISSIONERS WITH A REVISED PRINTED
29 STATEMENT OF THE CRIMINAL RECORD OF THE APPLICANT OR LICENSE
30 HOLDER.

31 7. IF THE BOARD INFORMS CJIS THAT AN
32 INDIVIDUAL IS NO LONGER AN APPLICANT OR LICENSE HOLDER, CJIS SHALL

1 **STOP PROVIDING THE BOARD OF LICENSE COMMISSIONERS WITH REVISED**
2 **PRINTED STATEMENTS OF THE CRIMINAL RECORD OF THE INDIVIDUAL.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 July 1, 2012.